IN THE SUPREME COURT OF FLORIDA

Florida Supreme Court

Case No.: SC00-2226

INQUIRY CONCERNING A
JUDGE: CYNTHIA A. HOLLOWAY

NO.: 00-143

_____/

NOTICE OF SUPPLEMENTAL AUTHORITY

COMES NOW, Respondent, THE HONORABLE CYNTHIA A.

HOLLOWAY, by and through her undersigned counsel,
pursuant to Rule 9.225, Florida Rules of Appellate

Procedure and Rule 21, Florida Judicial Qualifications

Commission Rules, and files this Notice of Supplemental

Authority citing the Court to The Florida Bar v.

Langston, 540 So. 2d 118, 119 (Fla. 1989). The Langston

case is cited for the proposition that when questions are

asked in deposition which fail to be particular with

respect to time, place and circumstances, there is a

reasonable belief that the deponent misunderstood the

question and therefore a prosecution based upon an

erroneous answer must fail. A copy of the supplemental

authority is attached to this notice.

Respectfully submitted,

SCOTT K. TOZIAN, ESQUIRE SMITH & TOZIAN, P.A. 109 North Brush Street Suite 150 Tampa, Florida 33602 (813) 273-0063 FL Bar# 253510 Attorneys for Respondent

Michael S. Rywant, Esquire RYWANT, ALVAREZ, JONES, RUSSO & GUYTON, P.A. 109 North Brush Street Suite 500 P. O. Box 3283 Tampa, Florida 33601 (813) 229-7007 FL Bar# 240354 Attorneys for Respondent

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this _____ day of August, 2002, the original of the foregoing Notice of Supplemental Authority has been furnished by UPS overnight delivery to: Honorable Thomas D. Hall, Clerk, Supreme Court of Florida, 500 South Duval Street, Tallahassee, Florida 32399-1927 with copies by U.S. Mail to:

Lauri Waldman Ross, Esquire Two Datran Center, Suite 1612 9130 South Dadeland Boulevard Miami, Florida 33156-7818

Timothy W. Ross, Esquire Kaye, Rose & Partners, LLP One Biscayne Tower, Suite 2300 Two South Biscayne Blvd. Miami, Florida 33131

Beatrice A. Butchko, Esquire Ferrell, Schultz, Carter Zumpano & Fertel, P.A. 201 South Biscayne Boulevard 34th Floor Miami, Florida 33131

John Beranek, Esquire General Counsel Ausley & McMullen Washington Square Building 227 Calhoun Street P. O. Box 391 Tallahassee, Florida 32302

Ms. Brooke Kennerly Executive Director Judicial Qualifications Commission 1110 Thomasville Road Tallahassee, Florida 32303

Honorable James R. Wolf Chair, Investigative Panel Judicial Qualifications Commission First District Court of Appeals 301 South Martin Luther King Jr., Blvd. Tallahassee, Florida 32399-1850

Honorable James R. Jorgenson Chair, Hearing Panel Judicial Qualifications Commission 1110 Thomasville Road Tallahassee, Florida 32303

SCOTT K. TOZIAN, ESQUIRE